

### REMARKS

Claims 1-55 are pending. Claims 1, 31, and 56 are independent claims. Claims 1-55 are rejected. Applicant traverses these rejections and respectfully requests reconsideration of the rejected claims in light of the following remarks.

#### *Claim Rejections Under 35 U.S.C. §102*

Claims 1-3, 12, 31-33, and 42 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,985,407 to Murasaki ("Murasaki").

Both independent claims 1 and 31 recite that the reinforcing fabric includes "float filament sections extending generally along an outer surface of a back side of the fastener component, such sections connected to the back side of the fastener component only at their ends, and otherwise lying against the back side of the fastener component." The application, as a whole, explains how having the float sections, positioned as recited in both claims, particularly aid in base reinforcement. Applicants explained that the term "float" is a technical term known in the textile industry. See, e.g., the discussion beginning at page 7, line 14 of the Application. Such a textile structure is not disclosed in Murasaki.

Murasaki discloses a backing material partly integrally joined with the rear surface of the substrate sheet of the molded body along joining regions. The Examiner cites Murasaki's backing layer (3) as constituting an anchor layer and an outer layer having float filament sections. Murasaki shows the backing material joined to the substrate at discrete points in FIG. 1, along longitudinal and lateral seam lines in FIG. 2, and along zig-zag seam lines in FIG. 3 (e.g. similar to quilting). However, Murasaki fails to disclose or suggest a backing material having "float filament sections extending generally along an outer surface of a back side of the fastener component, such sections connected to the back side of the fastener component only at their ends, and otherwise lying against the back side of the fastener component." Murasaki makes no reference to the construction of the backing material, other than that the backing material may be "a woven or knit fabric, a non-woven cloth, a net, a synthetic resin film, or a synthetic resin sheet" (col 5, lines 8-12), and fails to disclose or suggest a backing material

having float filaments as claimed by Applicants. The undersigned attorney thanks the Examiner for the courtesy of an in-person interview on October 12, 2007, at which the term "float" substantively comprised the entirety of the discussion of the interview.

Filed herewith is a declaration under 37 C.F.R. §1.132 by Paul Erickson noting that the term "float" is a technical term known in the textile industry as the portion of yarn in a knit fabric that extends for some length without being knitted in; hence, the term float yarn or float filament.

None of the molded surface fastener examples disclosed in Murasaki promulgate float sections in a reinforcing fabric, nor anticipate the mode in which such float sections improve strength. Applicants respectfully request reconsideration of the claims presented for examination and a notice of allowance.

*Claim Rejections Under 35 U.S.C. §103*

Claims 4-11, 13-30, 34-41, and 43-55 are rejected under 35 U.S.C. §103(a) as being obvious over Murasaki.

It is understood that this obviousness rejection is based upon the misunderstanding, discussed above, that Murasaki discloses the float filament arrangement recited in base claims 1-31. Given Applicants' showing that the term "float" has a meaning known to those of ordinary skill, Applicants again request reconsideration of this obviousness determination, submitting that these claims are allowable at least as depending from allowable base claims. With respect to the patentability of base claims 1 and 31, Applicants note that the arrangement of float filament sections, as connected only at their ends and otherwise lying against the back side of the fastener component, has been found by Applicants to provide particular advantage for resisting tearing of the fastener base, by a reinforcement mechanism not obtained by extending loops or fully embedded filaments. See, e.g., the paragraphs beginning at page 7, line 25, at page 11, line 12, and at page 12, line 28, of the Application. Such a product configuration would not have been obvious to one of ordinary skill in this art, as an improvement to Murasaki's configurations having backing sheets, at least because the different reinforcement mechanism would not have been expected or obvious. As a result, such float filament positioning is not merely a design

choice, but represents a non-obvious structural improvement over what was disclosed by Murasaki.

Regarding the features recited in the rejected dependent claims, Applicants also repeat, for the record, that many of these features provide particular advantage in combination with the features of the base claims, and respectfully traverse the conclusory statement that it would have been obvious at the time of the invention to have provided such features in the claimed reinforced fastener product. Such features are not simply design choices, as they clearly relate to the performance of the claimed structure and are not mere optimizations.

### CONCLUSION

The Examiner is invited to call the undersigned attorney to discuss any questions regarding this matter.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment.

All fees due are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 05918-342001.

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Respectfully submitted,

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